

**MINUTES OF THE  
CITY PLANNING COMMISSION  
J. MARTIN GRIESEL CONFERENCE ROOM  
TWO CENTENNIAL PLAZA – SUITE 700  
805 CENTRAL AVENUE**

**November 18, 2005  
9:00AM**

**CALL TO ORDER**

Mr. Faux called the meeting to order at 9:00 am.

**Commission Members:** Caleb Faux, Terry Hankner, Jacqueline McCray, Dave Rager and James Tarbell

**Absent:** Curt Paddock and Donald Mooney

**Community Development and Planning Staff:**

Margaret Wuerstle, Renee Christon, Caroline Kellam and Katherine Keough-Jurs

**Law Department:** Julia Carney

**APPROVAL OF MINUTES**

Submission of the minutes from the November 7, 2005 Planning Commission meeting for approval.

**Motion:** Mr. Tarbell motioned approval of minutes.  
**Second:** Ms. Hankner  
**Ayes:** Faux, Hankner, McCray, and Tarbell  
**Nays:** None, **motion carried**

**CONSENT ITEMS**

**ITEM #1** A report and recommendation on the granting of a permanent aerial easement over a portion of Broadway Street at 400 Reading Road to Urban Legacy LLC, which real property interest is no longer needed for any municipal purpose.

**ITEM #2** A report and recommendation on vacating a portion of Gerard Street between Donahue Street and East University Avenue.

**ITEM #3** A report and recommendation on an ordinance to accept and confirm the dedication of three permanent easements within Hamilton County to public use for construction, maintenance, repair and replacement of water main and water main appurtenances and authorizing the City Manager to execute said plat to quit-claim and release two water main easements that are no longer needed for public purpose.

**ITEM #4** A report and recommendation authorizing the sale of surplus City-owned real property located at 2147 Central Avenue, which real property is no longer needed for any municipal purpose.

**ITEM #5** A report and recommendation on an easement to permit the installation of bay windows and footers in the right-of-way of Charlton Street at Jefferson Avenue.

**Motion:** Jacqueline McCray motioned approval of Consent Items 1-5  
**Second:** Terry Hankner  
**Ayes:** Faux, Hankner, McCray, Rager and Tarbell  
**Nays:** None, **motion carried**

**David Rager arrives at 9:08 am**

## **DISCUSSION ITEM**

**ITEM #6** A report and recommendation on a Final Development Plan for a development within Planned Development (PD) District #40, Bond Hill School, located at 1510 California Avenue (Bond Hill School) and 1501 Elizabeth Place (Bond Hill Community Center) in Bond Hill.

*Katherine Keough-Jurs, Senior City Planner, presented this report*

### **BACKGROUND**

On August 5, 2005, the City Planning Commission approved a zone change from SF-4 to Planned Development (PD) and approved the concept plan for PD District #40 as proposed by Cincinnati Public Schools, the property owner. The school is located on a site that takes up the entire block bounded by California Avenue to the south, Matlock Avenue to the west, Elizabeth Place to the north, and Keen Avenue to the east.

Cincinnati Public Schools (CPS) is in the process of implementing a 10-year \$1 billion Facilities Master Plan that aims to renovate or newly construct approximately 60 schools in the district. At the Bond Hill School site, the existing school will be demolished and a new school will be built in its place. The Bond Hill School currently shares this site with the Bond Hill Community Center, which is owned and operated by Cincinnati Recreation Commission (CRC) on CPS-owned property. The two existing structures are physically connected. On the existing site, there is insufficient classroom space and outdoor recreation space for the school and a lack of parking for both the school and Community Center.

### **FINAL DEVELOPMENT PLAN**

A final development plan has been prepared by Steed Hammond Paul Architects and submitted by Kleingers & Associates. The final plan proposes a development that is nearly identical to that approved as the Concept Plan.

The new Bond Hill School will house 450 students in grades Kindergarten – 8<sup>th</sup> grade, and will be slightly larger than the old one, which will allow CPS to remove the modular units currently housed onsite. The new building will be built approximately 12 feet to the south of the old school, allowing for a playground space located between the school and the Community Center. The new school will also house a gymnasium, a multi-purpose room/cafeteria, a community room, a computer lab, a media center, and classroom space configured in the new “pod” arrangement. The newly configured parking area will provide 82 parking spaces for use by the school and the Community Center.

As CPS has made it a district-wide goal to promote schools as “community learning centers”, the Bond Hill School has also been designed with the surrounding neighborhood in mind. Common areas such as the gymnasium, the cafeteria, the computer lab and the community room are proposed to be open for use by the neighborhood during non-school hours. For this reason, these uses are conveniently located near the parking lot and the existing Community Center.

Insufficient parking has been a concern of both the school staff and CRC. Current parking provides 31 spaces for the Community Center and 14 spaces for the school, for a total of 45 spaces. The concept plan shows 28 parking spaces for the community center and the number of parking spaces increasing to 54 spaces for the school, for a total of 82 spaces on the site. The three lost parking spaces for the community center were eliminated to facilitate traffic movement on the site. However, there is an increase of 37 spaces for the site as a whole, which would be available for use by the community center during non-school hours.

All utilities are available to the site and at adequate capacities. Cincinnati Public Schools, along with their architects and engineers, have been coordinating the infrastructure design with MSD, GCWW and other City departments including the Department of Transportation and Engineering (DOTE) and the Cincinnati Recreation Commission (CRC). To ensure that all proposed infrastructure was sufficient, Planning Staff circulated a copy of the final development plan to key City departments as soon as it was available.

Department of Transportation and Engineering provided the following comments:

1. At the proposed Loading dock on Keen Avenue, it appears that the gates will block the sidewalk when open.
2. At the proposed Loading dock on Keen Avenue, it appears that any trucks using the dock will block the sidewalk.
3. The Gutter/Curb elevations at the dock drop curb indicate the curb height is 0.5 feet; the usual drop curb height is 1", or 0.085 feet.

Kleingers & Associates, CPS' engineers, are currently working with DOTE to find a solution to comments #1 and #2. In response to comment #3, Kleingers & Associates provided a corrected grading plan which was determined to be sufficient.

MSD commented that they will need to receive the supporting stormwater runoff and detention calculations for the storm detention basin proposed for the south end of the parking lot at the earliest possible time to avoid project delay. Kleingers & Associates, CPS' engineers, have responded that they will provide this information in a timely manner. Kleingers & Associates has also been working with GCWW to resolve any technical issues.

Construction is scheduled to begin in the spring of 2006 and is predicted to take approximately 18 months. The goal is to have the school open by fall 2007.

#### PUBLIC COMMENT

The new Bond Hill School has been designed by a group of community members making up the School Design Team. The design includes improvements to the site such as additional parking and a large, interior play area. The concept of schools as "community learning centers" will be used in this school, allowing community members to use the public areas of the school after hours. These factors have greatly influenced the design of the school.

#### CONSISTENCY WITH EXISTING PLANS

There are no City-approved Plans that encompass or make reference to this property. However, the school is compatible with the Cincinnati Public Schools Facilities Master Plan.

#### CODE REQUIREMENTS

Pursuant to Section 1429-13 Final Development Plan of the Cincinnati Zoning Code, a final Development Plan and Program Statement must be submitted to the City Planning Commission for any portion of an approved concept plan that an applicant wishes to develop. The final plan must conform substantially to the accepted concept plan. The final development plan requirements anticipate changes from the concept plan and require significantly more detail as approval of the final development plan precedes building permit application submission.

Under Section 1429-15, the City Planning Commission may approve a final development plan for a development in a PD District on consideration of the following:

##### **(a) Consistency**

Plan is consistent with the purpose of the PD District because it:

- Allows for more efficient development of property
- Has allowed this school to be more creative with the use of the space, creating a playground space made of both hard and soft surfaces located between the school and community center, which is safer for the children
- Retains an informal open space in front of the school

##### **(b) Adequate Streets**

The development has an adequate street network because it:

- Utilizes existing streets and curb cuts, adding only one curb cut to the site
- Provides one entrance/exit at an existing drive on Matlock Avenue and one entrance and one exit from one existing concrete drive and one new concrete drive on Elizabeth Place

**(c) Adequate Infrastructure**

The development has an adequate infrastructure because:

- MSD has given conditional approval based on sewer credits
- CPS has been working with GCWW to ensure no interference with water mains, and appropriate hydrants and sprinkling

**(d) Covenant**

**(g) Sufficiency of Legal Documents**

**(h) Sufficiency of Provisions for Maintenance of Common Areas**

**(e) Release of Covenants**

- Does not apply because this property is publicly owned and maintained

**(f) Compatibility**

The proposed uses and arrangement are compatible with surrounding land uses because:

- The site is already home to a school and community center, which are compatible with and assets to the surrounding residential neighborhood
- The new school is similar in character and scale to the old school. The site will retain all of the mature trees. They are also trying to incorporate elements of the existing building such as the portico and the Rookwood drinking fountains.
- CPS is continuously working with CRC to ensure minimal disturbance to CRC's operations

**FINDINGS**

Cincinnati Public Schools has spent many months working with City Staff from all pertinent departments to ensure a development plan that met all necessary codes and requirements. The final development plan presented to Staff is nearly identical to the Concept Plan previously submitted and approved.

Therefore, it is the opinion of staff of the Department of Community Development and Planning that the proposed Bond Hill School development is in compliance with Section 1429-15 "Planning Commission Approval of Final Development Plan". The proposal is consistent with the purpose of the Planned Development District Regulations and the previously accepted Concept Plan of August 5, 2005.

**RECOMMENDATION**

The staff of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

Approve a Final Development Plan for Planned Development (PD) District #40 Bond Hill School, bounded by California Avenue to the south, Matlock Avenue to the west, Elizabeth Place to the north, and Keen Avenue to the east, authorizing the development to proceed.

**Motion:** Terry Hankner motioned approval of staff recommendation.

**Second:** Jacqueline McCray

**Ayes:** Faux, Hankner, McCray, and Rager

**Nays:** Tarbell, **motion carried**

**DISCUSSION**

Mr. Tarbell opposed the motion to approve the staff recommendation. He reiterated that the Bond Hill school buildings are completely in tact and a remarkable example of the best architecture in the

community. He emphasized that he did not understand why solutions were not considered for incorporation of these buildings into the new design. He was concerned that this situation was symbolic of where the City was headed and future cases, with similar challenges, will not consider saving historic and architecturally significant structures.

Katherine responded by stating that it is not the City's decision whether or not the schools are renovated or reconstructed. It is the Cincinnati Public Schools' decision. This school, as well as other schools that are being demolished, were rated by the Ohio School Facility Commission as being suited for demolition and reconstruction. In addition, renovation was costly.

She pointed out that the community residents, teachers, parents, including the principal, all had a voice in designing the new school's interior and exterior to make it more appropriate for the students and to have the same type of amenities that students in the suburbs are receiving. They could not do this with the design of the old facility.

The school engineer was present and stated that there are so many new changes in school curriculum at this time and it affects how schools are designed. To get the new features in the old buildings are impossible.

Mr. Tarbell stated that he felt that the building could be utilized for other purposes.

Katherine informed Mr. Tarbell that there are at least 20 school sites that CPS is struggling to sell. She also felt that there were other uses for the school buildings.

Mr. Faux stated that the Commission could take Mr. Tarbell's no vote as a protest to CPS on how they are handling the vacant school buildings. Ms. Hankner said that his thoughts were well expressed.

Ms. Hankner suggested that correspondence be sent to the school board adequately addressing the Commission's concerns about the school sites for sale and offering the Commission as a resource to discuss how the school buildings could be reused.

Mr. Rager pointed out that any buildings that CPS has for sale is suppose to be offered to Charter schools first, but CPS stated that their Board's policy is not to sell to Charter schools. They would rather board up the vacant buildings than sell to Charter schools.

Felix Bere, staff member informed the Commission that Mercy Hospital is in a similar situation. They made an offer to purchase Covedale Elementary School for hospital purposes. They may be presenting a zone change request to the Planning Commission for the property upon finalization of the sale.

Ms. Hankner suggested that the public be made aware of the properties for sale before December 31, 2005. Staff informed Ms. Hankner that the time limit had passed to submit a proposal. A contract must be submitted by December 31, 2005.

<b>Motion:</b>	Terry Hankner made a motioned for staff to send a letter to the Cincinnati Public School Board from the City Planning Commission stating their concerns regarding the reuse of vacant school buildings.
<b>Second:</b>	Tarbell
<b>Ayes:</b>	Faux, Hankner, McCray, Tarbell and Rager
<b>Nays:</b>	<b>motion carried</b>

**ITEM #7** A report and recommendation for a text and map amendment to correct an omission from the Maximum Building Height Overlay Map 1411-13 of the Downtown District.

*Ms. Wuerstle, Chief City Planner, presented this report*

**BACKGROUND:**

The Maximum Building Height Overlay Map 1411-13 (identified as page 118 in the City of Cincinnati Zoning Code) for the Downtown District establishes the maximum permitted heights for this district.

An area on the map located between West Second Street and East Freedom Way has been defined but is unlabeled. Therefore, a maximum height standard has not been established for this area. However, upon review of the previous zoning code and other documentation, it has been determined that this was clearly an oversight and the maximum height standard for this area should be 655 feet Above Sea Level (ASL).

**RECOMMENDATION:**

The staff of the Department of Community Development and Planning recommended that City Planning Commission take the following action:

**Amend** the Maximum Building Height Overlay Map 1411-13 to reflect that the maximum permitted height in the area located between West Second Street and East Freedom Way Exhibit 1, is established at 655 feet ASL.

**Motion:** Terry Hankner motioned approval of staff recommendation.  
**Second:** Jacqueline McCray  
**Ayes:** Faux, Hankner, McCray, Rager and Tarbell  
**Nays:** **motion carried**

**ADJOURN**

**Motion:** Hankner motioned to adjourn.  
**Second:** McCray  
**Ayes:** Faux, Hankner, McCray, Rager and Tarbell  
**Nays:** None, **motion carried**

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Margaret A. Wuerstle, AICP  
Chief Planner

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Caleb Faux, Chair

Date: \_\_\_\_\_

Date: \_\_\_\_\_